



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNL, OLC, FFT

### Introduction and Analysis

This hearing dealt with an Application for Dispute Resolution (“application”) by the tenants seeking remedy under the *Residential Tenancy Act* (“Act”) to cancel a 2 Month Notice to End Tenancy for Landlord’s Use of Property dated August 30, 2018 (“2 Month Notice”), for an order directing the landlord to comply with the Act, regulation or tenancy agreement, and to recover the cost of the filing fee.

The tenants, the landlord and legal counsel for the landlord (“counsel”) attended the teleconference hearing. The tenants and the landlord were affirmed and at the start of the hearing, counsel and the tenants confirmed that the tenants vacated the rental unit and advised the landlord on October 28, 2018 since the tenants filed their application on September 14, 2018. The tenants stated that they decided to accept the 2 Month Notice and that they did not pay October 2018 rent as compensation for the 2 Month Notice under the Act.

Given the above, I find that since the tenancy has ended by the tenants vacating the rental unit and accepting the 2 Month Notice that this entire application is now moot. Therefore, I find it is not necessary to consider this application as the tenancy has ended.

### Conclusion

The tenants’ application is now moot as the tenants have vacated the rental unit. The tenants accepted the 2 Month Notice as served upon them by the landlord. I dismiss the tenants’ application without leave to reapply as it is now moot.

I do not grant the filing fee as a result.

The decision will be emailed to the parties at the email addresses confirmed during the hearing which lasted 13 minutes.

This decision is final and binding on the parties, except as otherwise provided under the Act, and is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: October 29, 2018

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Residential Tenancy Branch